

Appendix A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
Houston DIVISION

Andre Jackson

versus

City of Pasadena

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CIVIL ACTION NO. _____

EMPLOYMENT DISCRIMINATION COMPLAINT

1. This action is brought under Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is conferred by Title 42 United States Code, Section § 2000e-5.

2. The Plaintiff is:

Andre Jackson

Address:

7447 Eastpoint Blvd #6211

Baytown, TX 77521

County of Residence:

Harris

3. The defendant is:

City of Pasadena

Address:

1149 Ellsworth Drive

Pasadena, TX 77506



Check here if there are additional defendants. List them on a separate sheet of paper with their complete addresses.

4. The plaintiff has attached to this complaint a copy of the charges filed on 2/13/19

with the Equal Opportunity Commission.

5. On the date of 2/13/19, the plaintiff received a Notice of Right to Sue

letter issued by the Equal Employment Opportunity Commission; a copy is attached.

6. Because of the plaintiff's:

- (a) ☒ race
- (b) ☐ color
- (c) ☐ sex
- (d) ☐ religion
- (e) ☐ national origin,

the defendant has:

- (a) ☒ failed to employ the plaintiff
- (b) ☐ terminated the plaintiff's employment
- (c) ☐ failed to promote the plaintiff
- (d) ☒ other: consider my application fairly
and interacted with me disdain-
fully, patronizing my communications.

7. When and how the defendant has discriminated against the plaintiff:

The code enforcement staff and HR disregarded
my correspondence and inquiries. What I was
told after not being selected for interview was
unprofessional.

8. The plaintiff requests that the defendant be ordered:

- (a) ☐ to stop discriminating against the plaintiff
- (b) ☒ to employ the plaintiff
- (c) ☐ to re-employ the plaintiff
- (d) ☐ to promote the plaintiff

- (e) ☒ to pay a settlement in the sum
of \$8,000. Receive the punishment
prescribed by law; train hiring managers and that;
- (f) ☒ the Court grant other relief, including injunctions, damages, costs and attorney's fees.


(Signature of Plaintiff)

Address: 7447 Eastpoint Blvd #6211
Baytown, TX 77521

Telephone: 409-960-2285

Appendix B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
Houston DIVISION

Andre Jackson

versus

City of Pasadena§
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CIVIL ACTION NO. _____

ORIGINAL COMPLAINT

In mid December, I applied for a position as a Code Enforcement Officer with the City of Pasadena. On Dec. 14th, I emailed the Code Enforcement Department and Trena White a cover letter and my training certificate. I never got any replies. After calling HR and Code Enforcement office on several occasions throughout the later part of December, I left messages and never received any call backs. Finally, I eventually spoke to the HR Director, Mr. Pennington, who informed me of his part in the hiring process and that there were 34 applicants. He told me that he routed my application to Code Enforcement and I was qualified. However, I was informed that I was not considered on Jan. 4th. When I called and spoke with the code enforcement Assistant Director, he repeatedly patronized my inquires which ranged from, how were interviewees selected; did being a veteran or having college education or the certificate for Basic Code Enforcement play any role in the selection of candidates, when were the interviews conducted. He accused me of trying to set him up, record him, etc. He refused to acknowledge or answer my questions by stating: I don't know. Although he stated he decided with the Director who he would not allow me to speak to. He hung up in my face.

Mr Polk was very rude, unprofessional and uncooperative. I reported this to the HR Director who said nothing about my report other than recommending a public information request when I questioned their hiring process, AA initiatives and EEO policy. My questions were undermined and not a part of public info reqs.

I do not believe that I was considered fairly. City of Pasadena is the 3rd municipality to tell me I was not a good match for the position even with 1 of 2 candidates. They are not transparent and have repeatedly tried to justify their decisions without addressing "how" I am not a match or less qualified than other applicants.

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Andre T. Jackson**
7447 Eastpoint Blvd # 6211
Baytown, TX 77521

From: **Houston District Office**
Mickey Leland Building
1919 Smith Street, 7th Floor
Houston, TX 77002



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

460-2019-01829

Gerard Ladera,
Investigator

(713) 651-4945**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

[Signature]
Rayford O. Irvin,
District Director

2-13-2019

Enclosures(s)

(Date Mailed)

cc:

Randy Perry
Human Resources
CITY OF PASADENA
1149 Ellsworth Dr
Pasadena, TX 77506

Lowell Keig, Executive Director
TWC / Civil Right Division
101 E. 15th Street, Room 144-T
Austin, TX 78778

Expires ~ May 13th